

FORM B

Request by a Museum or Federal Agency that the Review Committee Act on an Agreement Concerning the Disposition or Reburial of Culturally Unidentifiable Human Remains and Associated Funerary Objects for which a “Tribal Land” or “Aboriginal Land” Provenience Cannot Be Determined

If the cultural affiliation of Native American human remains cannot be established pursuant to section 5 of NAGPRA (25 U.S.C. 3003) and the procedures at 43 C.F.R. 10.9, then the remains must be considered “culturally unidentifiable.” Section 10.11 of the NAGPRA regulations sets forth the procedures for the disposition or reburial of culturally unidentifiable human remains that were removed from tribal lands (i.e., the land was the tribal land of an Indian tribe or Native Hawaiian organization at the time of removal), and from the aboriginal lands of Indian tribes.

Concerning human remains for which a “tribal land” or “aboriginal land” provenience cannot be determined, museums and Federal agencies seeking the Secretary of the Interior’s action on an agreement for the disposition or reinterment of such culturally unidentifiable human remains and (if applicable) associated funerary objects may request that the NAGPRA Review Committee make a recommendation to the Secretary regarding the specific action. By seeking the Review Committee’s recommendation, the museum or Federal agency affirms two things. First, it affirms that it lacks sufficient information in order to determine that, more likely than not, these Native American human remains and associated funerary objects are culturally affiliated with one or more federally-recognized tribes, or with one or more Native Hawaiian organizations. Second, the museum or Federal agency affirms that it also lacks sufficient information in order to determine that the human remains were removed from the tribal lands of an Indian tribe or a Native Hawaiian organization, or from the aboriginal lands of a tribe.

When contacting the Designated Federal Officer to the Review Committee and requesting that the Review Committee act on such an agreement, the museum or Federal agency completes and submits FORM B, along with the other materials requested on the form. The form and requested materials serve as an executive summary of your presentation to the Review Committee.

1. **REQUIRED:** Provide the draft Notice of Inventory Completion that will be published in the Federal Register if the agreement receives the recommendation of the Review Committee and the recommendation of the Secretary of the Interior. Make certain that the information in the draft notice agrees with the information provided in the inventory submitted to the National NAGPRA Program. A discrepancy between the two documents will require the submission of an amended inventory. Also, for Indian tribes, use the name of the Indian tribal entity as it appears in “Indian Entities Recognized as Eligible to Receive Services from the United States Bureau of Indian Affairs.”
2. The museum or Federal agency personnel who will be presenting the request to the Review Committee are as follows (for every person, include: name; title; name of museum or Federal agency; street address; telephone number; and email address):
3. Other presenters in support of the agreement are as follows (for every person, include: name; title; name of Indian tribe, Native Hawaiian organization, or non-federally recognized Indian group; street address; telephone number; and email address):
4. ☐ This request concerns an agreement for the disposition (transfer of control) of Native American human remains to the Indian tribes or Native Hawaiian organizations listed in the attached draft Notice of Inventory Completion.

Or

- ☐ This request concerns an agreement for the disposition (transfer of control) of Native American human remains to the non-federally recognized Indian groups listed in the attached draft Notice of Inventory Completion.

Or

- ☐ This request concerns an agreement for the reburial of Native American human remains as set forth in the agreement, and according to the law of the following jurisdiction:

5. ☐ The agreement referenced in #4 and signed by all the parties listed in the draft Notice of Inventory Completion is attached.
6. ☐ Based on the information possessed by the museum or Federal agency concerning the provenience of the human remains and (if applicable) associated funerary objects in this request, the museum or Federal agency cannot determine that, more likely than not, the human remains and associated funerary objects were

removed from the tribal lands of an Indian tribe or a Native Hawaiian organization, or from the aboriginal lands of an Indian tribe.

7. ☐ The following Indian tribes or Native Hawaiian organizations support this disposition agreement, and evidence of their support is attached (for Indian tribes, use the name of the Indian tribal entity as it appears in “Indian Entities Recognized as Eligible to Receive Services from the United States Bureau of Indian Affairs”):
8. In addition to the parties listed in the draft Notice of Inventory Completion and the Indian tribes and Native Hawaiian organizations referenced in #7, the museum or Federal agency consulted on this agreement with the following Indian tribes or Native Hawaiian organizations (for Indian tribes, use the name of the Indian tribal entity as it appears in “Indian Entities Recognized as Eligible to Receive Services from the United States Bureau of Indian Affairs”):
9. ☐ All the human remains and associated funerary objects in this request appear in the following NAGPRA inventories (supply inventory dates and page numbers):
10. The human remains in this request were determined to be Native American on the basis of the following categories of information, and for each category, the key set of supporting documentation is attached (DO NOT include voluminous or extraneous documentation):
11. (TO BE COMPLETED WHERE THE REQUEST CONCERNS AN AGREEMENT FOR THE DISPOSITION OF NATIVE AMERICAN HUMAN REMAINS TO NON-FEDERALLY RECOGNIZED INDIAN GROUPS)

Were the human remains in this request determined to be culturally connected with the non-federally recognized Indian groups who are parties to this agreement?

If the answer is yes, the human remains were determined to be culturally connected with the non-federally recognized Indian groups on the basis the following categories of information, and for each category, the key set of supporting documentation is attached (DO NOT include voluminous or extraneous documentation):

- ☐ Geographical
- ☐ Kinship
- ☐ Biological

- ☐ **Archeological**
- ☐ **Anthropological**
- ☐ **Linguistic**
- ☐ **Folkloric**
- ☐ **Oral traditional**
- ☐ **Historical**
- ☐ **Other relevant information or expert opinion (explain)**

12. Date of submission of this request:

Review Committee notes: